

March 12, 2002

Re: Potential Reduction of Ground Water Use in 2002

Dear Ground Water User:

Near the end of last summer and into this past fall, the North Snake and Magic Valley Ground Water Districts, of which you are a member, negotiated a stipulated agreement with representatives of holders of senior priority water rights covering areas within and near the Idaho Department of Water Resources Administrative Basin 36. The purpose of the stipulated agreement was to replace the need for the Department to curtail the use of certain ground water rights to protect certain senior priority surface water rights during the 2002 irrigation season, largely because of the past two years of drought in the Upper Snake River Basin. The agreement was approved in an order I issued on January 18, 2002.

The approved agreement provides for the ground water districts providing their share of 40,000 acre-feet of replacement water during the irrigation seasons for each of 2002 and 2003. In the event all or a portion of the ground water district's share of the replacement water can not be provided in either year, the agreement provides for a pro rata reduction of ground water diversions for irrigation, up to a maximum reduction of 10 percent in that year.

Since the stipulated agreement was negotiated and approved the Department, Water District No. 1 (comprised of surface water rights to divert surface water at or above Milner Dam), the Idaho Ground Water Users Association, and others, have worked diligently to facilitate securing the agreed upon replacement water. Unfortunately, even though the 2002 water year began with above normal snowfall, this early pattern did not continue in the Upper Snake River Basin. While precipitation has increased over the past few days, the below-average accumulation of snow pack in the Upper Snake River Basin, together with limited carryover storage in reservoirs from last year, make it probable that there will not be a sufficient supply of surface water to allow for the procurement of replacement water. Therefore, absent an agreed upon substitute for the replacement water, ground water diversions will have to be reduced pursuant to the stipulated agreement executed by the North Snake and Magic Valley Ground Water Districts. The extent of any reduction will depend in the end on the amount of any replacement water that is secured for rental.

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This letter is sent so that as you consider your plans for planting crops and irrigating this year, you can consider the possibility that it may be necessary for the Department to enforce the reduction of diversions within the North Snake and Magic Valley Ground Water Districts by an amount of up to 10 percent in accordance with the stipulated agreement. We are continuing to pursue options for replacement water, and I hope reductions will not be necessary. However, in the event reductions should be necessary please plan accordingly.

Please check the Department's web page at www.idwr.state.id.us for updates on the acquisition of replacement water by your ground water district and other information regarding this matter.

A handwritten signature in black ink, appearing to be 'Karl J. Dreher', written in a cursive style.

Sincerely,

Karl J. Dreher
Director